

# Exhibit A



# Exhibit B



U.S. Department of Justice

*United States Attorney  
Southern District of New York*

*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

May 16, 2018

**BY EMAIL**

Mark DeMarco, Esq.  
[MSDLaw@aol.com](mailto:MSDLaw@aol.com)

**Re: *United States v. Donque Tyrell, S12 15 Cr. 95 (JSR)***

Dear Mr. DeMarco:

The Government writes to provide you with the following information. The Government understands, based on conversations with Xavier Donaldson, Esq., counsel for Martin Mitchell, a/k/a "Tyliet," that:

- (1) Mr. Donaldson currently understands Mitchell will be unavailable to testify at trial, regardless whether he is sentenced before the trial's end, because if called to testify Mitchell would invoke his Fifth Amendment right against self-incrimination. Mr. Donaldson intends to confer with his client and confirm this prior to the trial's start.
- (2) Mitchell believes that the Government's theory of the Keshon Potterfield murder will be, in part, that Tyrell provided a weapon to Mitchell, and Mitchell does not believe that theory to be accurate.

Very truly yours,

GEOFFREY S. BERMAN  
United States Attorney

by: /s/  
Drew Skinner  
Hagan Scotten  
Allison Skinner  
Assistant United States Attorneys  
(212) 637-2410

Cc: Xavier Donaldson, Esq.

# Exhibit C







